

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF INDIANA  
FORT WAYNE DIVISION

IN THE MATTER OF: )  
 )  
WILLIAM RICHARD ROEBUCK ) CASE NO. 05-10894  
JANET LU RAE ROEBUCK )  
 )  
Debtors )

**DECISION AND ORDER**

At Fort Wayne, Indiana, on April 21, 2005

The notice of motion and opportunity to object which GMAC Mortgage (hereinafter "Movant") served in connection with its Motion for Relief from the Automatic Stay and Abandonment does not comply with the requirements of N.D. Ind. L.B.R. B-2002-2 because:

- a. The notice does not correctly state the date upon which the motion was filed. N.D. Ind. L.B.R. B-2002-2(c)(2). The motion was filed on March 24, 2005, while the notice simply refers to a motion filed sometime in March 2005.

Since creditors and parties in interest have not been given appropriate notice of the motion and the opportunity to object thereto, the court cannot grant it at this time. Movant shall prepare and serve an Amended Notice of Motion and Opportunity to Object which complies with N.D. Ind. L.B.R. B-2002-2 and file a proof thereto within fourteen (14) days of this date. See, N.D. Ind. L.B.R. B-9013-4(a). The failure to do so will result in the motion being denied without prejudice and without further notice.

SO ORDERED.

/s/ Robert E. Grant  
Judge, United States Bankruptcy Court